

Attachment 1 – Authorization and Eligibility Requirements

Authorizing Documentation

The Upper Kings Basin Integrated Regional Water Management Authority adopted the required resolution for submittal of this IRWM Implementation Grant at a board meeting on December 15, 2010. A copy of the adopted resolution is included as **Attachment 1a**.

Eligible Applicant Documentation

The Upper Kings Basin IRWM Authority does have the legal authority to enter into a grant agreement with the State and has already entered into previous grant agreements with the State.

Is the applicant a local agency as defined in Appendix B of the Guidelines?

The applicant is the Upper Kings Basin Integrated Regional Water Management Authority (Authority). The Authority was formed by a Joint Powers Agreement on December 11, 2008 (attached as **Attachment 1b**). The Authority Statement of Facts was filed with the Secretary of State on August 12, 2010 (**Attachment 1c**). The Authority fits within the definition of a 'local agency' according to Appendix B of the Proposition 84 and Proposition 1E IRWMP Guidelines dated August 2010.

What is the statutory or other legal authority under which the applicant was formed and is authorized to operate?

The applicant was formed and is authorized to operate under a Joint Powers Agreement (**Attachment 1b**) on December 11, 2008. The applicant has successfully operated under this agreement since it was formed.

Does the applicant have legal authority to enter into a grant agreement with the State of California?

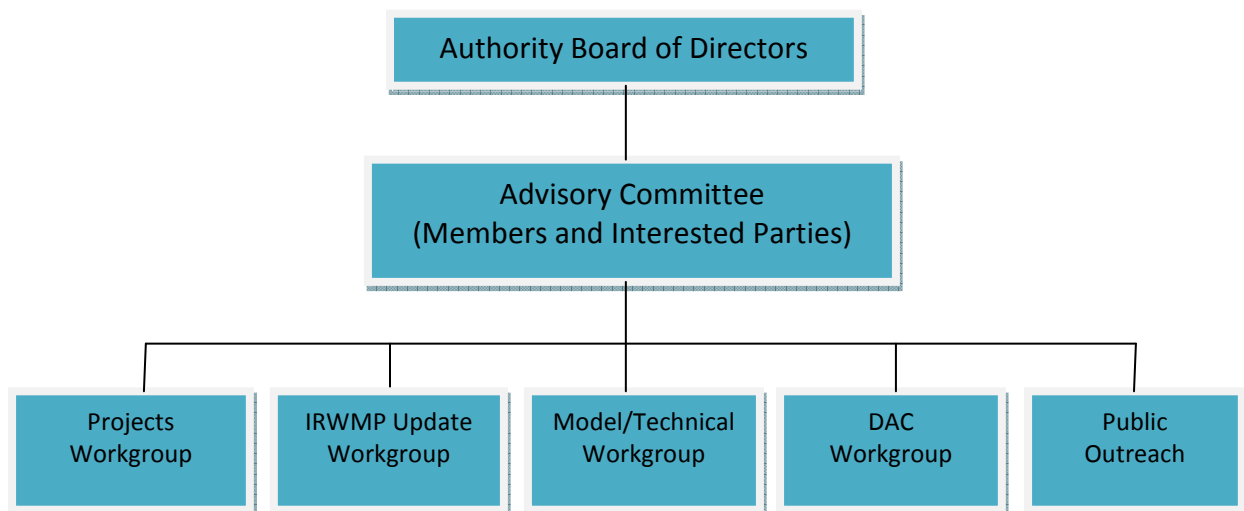
The Authority has the legal authority to enter into a grant agreement with the State of California. In fact, the Authority has already successfully entered other grant agreements with the State, including Proposition 50 IRWM Implementation Funding Round 2, and is preparing to enter into contracts for Proposition 50 Supplemental IRWM Implementation and Proposition 84 IRWM Planning funding.

Describe any legal agreements among partner agencies and/or organizations that ensure performance of the Proposal and tracking of funds.

The Authority will be the contracting entity with the State. Similar to other recent grant awards to the region, the Authority will enter into a sub-agreement with each project proponent that receives funding. This agreement holds the project proponent to the same requirements of the State contract with the Authority. A copy of a similar sub-agreement from a recent grant

award is attached as **Attachment 1d**. The Joint Powers Agreement (**Attachment 1b**) includes details on tracking of funds (Article IV: Financial Provisions). These agreements provide assurance of the proper performance of the projects proposed and tracking of funds. The Authority has worked closely and successfully completed many grant projects and studies with DWR in the past and has an excellent track record of ensuring that the projects proposed are brought to successful completion.

This is an appropriate place to describe the governance structure of the Authority. Unlike many other regions, the Upper Kings has formerly adopted a Joint Powers Agreement to establish a formal governance for administering the IRWMP. In forming the Upper Kings Basin IRWM Authority and in an effort to truly develop an integrated structure that includes all stakeholders, the region specifically developed a structure that allows for stakeholders of all types to be included in the region. This was sought to maintain the high degree of stakeholder involvement that was developed during the Water Forum that preceded the establishment of the Authority. The operation of the Authority requires funding of which the Authority's members contribute, but many of the stakeholders in the region cannot afford to contribute financially to the Authority, especially the DACs. To allow for their participation in the direction and decision making of the IRWM, the Authority was formed with the planned participation of "Interested Parties". As defined in Article 1f of the Joint Powers Agreement, Interested Parties are governed by the provisions of the Joint Powers Agreement, members of the Advisory Committee with direct input to the Board, and participants to the Authority and its activities. The Authority now includes 17 members and 27 Interested Parties. The organization structure of the Authority is shown below.



Upper Kings Basin IRWM Authority Organizational Chart

GWMP Compliance

Although not all of the projects are groundwater projects, each project is covered by an appropriate Groundwater Management Plan. Since the IRWMP was prepared in 2007 and listed the GMPs in the region in Table 3-7, there have been updated plans prepared compliant with the requirements of California Water Code (CWC) 10753.7 requirements and including the DWR recommended components listed in DWR Bulletin 118. Each of the applicants has adopted a GWMP that is compliant with the CWC 10753.7 requirements. All of the projects are anticipated to have a positive impact on the groundwater conditions within the region. The following table lists each project, the GWMP covering the project area, and when that GWMP was adopted.

No.	Project	Agency Implementing	GWMP	GWMP Status
1	South and Highland Basin	CID	CID's GWMP (Attachment 1e)	Adopted by CID on 4/8/2009.
2	Surface Water Treatment Plant Expansion	City of Clovis	Member of the Fresno Area Regional GWMP (Attachment 1f)	Adopted by the City on 2/13/2006
3	Drummond Jensen Avenue Sewer Connection Study	County of Fresno	Project is located within the Fresno Area Regional GWMP (Att. 1f) of which the County is a member.	Adopted by the County on 7/18/2006
4	Water Well Rehabilitation Project	East Oroquieta CSD	Part of the Alta Irrigation District GWMP (Attachment 1g)	Adopted 6/10/2010
5	Residential Water Meter Project (Area IV)	City of Fresno	Member of the Fresno Area Regional GWMP (Attachment 1f)	Adopted by the City on 4/18/2006
6	Water Meter Installation Project	Bakman WC	Member of the Fresno Area Regional GWMP (Attachment 1f)	Adopted by Bakman on 3/13/2006

Further, as a region, the Authority is currently working to be consistent with the recently legislated requirements of SB7x6 for groundwater measurement. Through the Authority, the region has prepared a Memorandum of Understanding between the various agencies with the

region that have prepared a Groundwater Management Plan that will serve to address the new requirements. These efforts are a furtherance of the Implement Item MMR2 identified in the IRWMP on page 10-2.

Compliance with CWC 83002.(b)(3)(B)

This application is compliant with CWC 83002.(b)(3)(B). This application is proposed using the Upper Kings Basin's existing IRWMP that was adopted in July 2007, and was accepted during the 2009 RAP Decision process by DWR. In accordance with the Proposal Solicitation Package, and because DWR has received and reviewed the existing IRWMP, a copy of the existing IRWMP is not included with this application. The existing IRWMP is available on the Authority's webpage, located at http://krcd.org/water/ukbirwma/docs_gov.html.

Consistency with an adopted IRWM Plan

All of the projects listed in this proposal are either listed in the original IRWMP on Table 8-2 or included in the 2010 project list update process. Four of the projects were included in the original IRWMP:

- Project 1 – CID's South and Highland Basin Project
- Project 2 – City of Clovis Surface Water Treatment Plant Expansion Project
- Project 4 – East Orosi CSD Well Rehabilitation Project (included originally in Table 8-3 as one of the projects under Project WQ2 – DAC Water Quality Program)
- Project 5 – City of Fresno Residential Water Meter Project (Area IV)

It is important to note that of the projects included in the original IRWMP prioritized project list, the projects proposed in this application are the highest priority remaining projects that are ready to proceed. Below is a status update of the projects listed in Table 8-2:

Status of Projects Listed in Table 8-2 of Existing IRWMP			
Priority (as listed in IRWMP)	Agency	Project	Status
CU1	City of Clovis	Flood Control Basin BT Pipeline	Already Completed
CU2	Alta ID	Eastside Water Quality and Urban Reliability Project	Under Construction
CU3	Consolidated ID	CID Groundwater Mitigation and Banking Program	Included in this Application
CU4	Fresno ID	Joint Conjunctive Use Project	Under Construction
CU5	City of Clovis	SWTP Expansion	Included in this application
WQ1	City of Reedley	5MGD WWTP Upgrade	Not ready for initiation
CU6	City of Clovis	Water Intertie (North)	Not ready for initiation, lower priority for Clovis
CU7	City of Clovis	Recycled Water MP	Already Initiated
CU8	City of Reedley	Dinuba Reclamation Conservation Recreation (RCR) Project	Not ready for initiation
CU9	City of Clovis	Enterprise Canal Improvements	Already Initiated
CU10	City of Fresno	Residential Meter Project	Included in this application

The remaining two projects included in this proposal were developed as a direct result of the stakeholder outreach to DACs, and project solicitation to address the critical water supply and quality needs of DACs. These projects include:

- Project 3 – Drummond and Jensen Avenue Sewer Connection Study
- Project 6 – Bakman Water Company Water Meter Installation Project

Both projects are consistent with the Project WQ2 in the existing IRWMP which identifies some of the needs of DACs within the region. All of the projects included in this proposal were included in the Authority's project list update process completed in 2010 (**Attachment 1h**). Although the existing IRWMP includes a project list, that list was originally prepared in 2007, so in 2010 the Authority decided to update the project list in accordance with the existing IRWMP requirements and process in order to:

1. Include new projects that have been developed through the IRWMP.
2. Incorporate new Authority members and interested party projects not previously included
3. Provide updated status of the projects previously included in the Project List
4. Specifically seek to include projects associated with Disadvantaged Communities
5. Determine which projects were prepared for solicitation of grant funding

The Project Definition and Identification Section (Section 6.2 of the existing IRWMP) identifies the process for development of the project list for the IRWMP. The process includes:

- Call for Projects and Identification of Water Management Strategies
- Develop and Apply Ranking Criteria to Prioritize Projects List
- Evaluate Project Feasibility
- Integrate Projects and Create IRWMP Alternatives
- Evaluate Impacts and Benefits of Alternatives
- Develop IRWMP Project List

This same process was followed during the 2010 update to the project list. A Project Work Group (a sub-group reporting to the Advisory and Authority Board) was established, and a chronology of the process used to update the project list is provided below:

- 12/10/09 - Email to Authority Members and Interested Parties for meeting during Jan 2010 to establish a Project Work Group to update the IRWMP Project List
- 1/14/2010 – Project Work Group meeting held at 10am at the office of KRCD.
- 1/22/2010 – Email to Members and Interested Parties providing summary of Project Workgroup meeting and request for updated project list
- 3/17/2010 – Project Workgroup meeting to confirm project submittal deadline
- 3/26/2010 – Reminder email to all members and interested parties to submit projects

- 3/30/2010 – Deadline for project submittal by members and interested parties
- 7/21/2010 – Authority Board meeting identifying projects received for inclusion in updated project list and planned prioritization of projects received
- 9/2/2010 – Authority Board selects online project database platform for initial screening
- 9/9/2010 – Email to all project proponents regarding Project Work Group meeting on 9/14/2010 to finalize prioritization process
- 9/14/2010 – Project Workgroup meeting confirming Project Pre-screening process and final prioritization process and deadlines.
- 10/5/2010 – Reminder email to all project proponents to submit to online database
- 10/22/2010 – Deadline for submittal of project information into online database for prescreening and initial ranking
- 10/27/2010 – Project Workgroup meeting (open to all) to review results of initial ranking from online submittal database and discuss requirements for submittal for prioritization for grant solicitation process.

This process provided the updated project list for the Upper Kings Basin IRWM Authority. A copy of the initial ranking results from the online submittal tool is included as **Attachment 1h**.

Although not all of these projects were prepared to submit a request for grant funding, but there were more projects than funding available in this solicitation. So to prioritize the projects, the Authority Board at a special Board meeting on 10/10/2010 confirmed a process consistent with existing IRWMP and tasked the Project Work Group to prioritize projects for grant submittal with a process consistent with the IRWMP. Election of the Project Review and Prioritization Panel (PRAP) was completed at the 10/27/2010 meeting of the Project Work Group. The PRAP was tasked with prioritizing projects based on project benefits consistent with the region's goals and objectives, statewide preferences, and project readiness. All project proponents were invited to submit projects for consideration for this grant proposal. The following lists the steps taken for prioritizing projects for this grant application.

- 10/27/2010 – PRAP establishment and meeting to review submittal requirements. A project submittal template and scoring criteria was developed and reviewed at the 10/27/2010 Project Work Group meeting. All project proponents were in attendance.
- 11/12/2010 – Deadline for submittals for projects desiring to submit for grant funds.
- 11/15/2010 through 11/23/2010 – PRAP review and scoring of projects
- 11/23/2010 – PRAP meeting to compile independent project rankings
- 12/15/2010 – Project Work Group presentation at Authority Board meeting regarding final project prioritization for grant funding application. Board approval of grant funding request.

A copy of the email correspondence, meeting minutes and presentations is combined in **Attachment 1i**.

The Authority believes that it is important to update the project list annually and future updates to the IRWMP will not include an actual project list, but will reference the most recent project list update that the Authority has performed.

Attachment 2 – Adopted Plan and Proof of Formal Adoption

This application is based on the Upper Kings Basin IRWMP adopted July 2007, prior to September 30, 2008. In accordance with the PSP, a copy of the existing IRWMP was not required with this application, but a copy of the existing IRWMP is available on the Authority's website, http://krcd.org/water/ukbirwma/docs_gov.html. This IRWMP and the region were approved during DWR's 2009 Regional Acceptance Process. The region began working together in 2001 and the Upper Kings Water Forum developed the existing IRWMP. A planned action of the IRWMP was to develop a Joint Power Authority for governance. Page 7 of the PSP states that a Joint Power Authority that has adopted an IRWMP is eligible for funding under this first solicitation round. The applicant for the Upper Kings Basin IRWM region is the Upper Kings Basin IRWM Authority (Authority). The Authority was formed by the signing of the Joint Powers Agreement (**Attachment 1b**). The initial meeting of the Authority was held on September 10, 2009. Minutes of that initial meeting are included as **Attachment 2a**. As cited in the Section 2.03 of the Joint Powers Agreement (**Attachment 1b**), the purpose of the Authority is to "coordinate, manage, maintain, modify, amend and implement the IRWMP" and "participate through the Authority in water management projects included in or consistent with the IRWMP". Further in Section 2.05 it states:

"...the IRWMP shall be coordinated and managed by the Authority, and that all modifications or amendments of the IRWMP shall be adopted only by the Authority's Board of Directors and in accordance with this Agreement."

As discussed in **Attachment 1** and described in the Agreement, the Authority is comprised of Members and Interested Parties. In accordance with the Agreement, all Members and Interested Parties are governed by the Authority in accordance with the Agreement. All of the projects proposed are for entities that have signed onto the Agreement as Members or Interested Parties and are thereby subject to the existing IRWMP. The following lists each of the project proponents and their proof of involvement.

Project Proponent	Status with Authority	Documentation
Consolidated I.D.	Founding Member of Authority	Joint Powers Agreement (Attachment 1b)
City of Clovis	Founding Member of Authority	Joint Powers Agreement (Attachment 1b)
County of Fresno	Founding Member of Authority	Joint Powers Agreement (Attachment 1b)
East Orosi C.S.D.	Interested Party	Submittal Letter 11/10/10 Board Approval 12/15/10 (Attachment 2b)
City of Fresno	Founding Member of Authority	Joint Powers Agreement (Attachment 1b)
Bakman W.C.	Interested Party	Submittal Letter 9/29/09 Board Approval 12/16/09 (Attachment 2c)

Updates to the IRWMP will be prepared and adopted by the Authority. The Authority is in the process of preparing an update to the IRWMP to be in conformance with the recently updated